



DOCKET NO: D00188.70087.US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Paul. J. Mulhauser et al.
Serial No: 08/250,657
Confirmation No: 1585
Filed: May 27, 1994
For: Apparatus for Loading and Delivering an Implantable Prosthesis
Examiner: David J. Isabella
Art Unit: 3738

RECEIVED
MAY 19 2003
TECHNOLOGY CENTER R3700
#31

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to Commissioner for Patents, Washington, D.C. 20231, on April 8, 2003.


Rita A. LeBlanc

Commissioner for Patents
Washington, D.C. 20231

Sir:

RESPONSE

In response to the Office Action mailed on January 28, 2003, Applicants respectfully request reconsideration of the above-identified application in view of the following remarks.

REMARKS

Claims 48-64 and 73-76 are pending in this application.

Claim Rejections - 35 U.S.C. §112

Claims 48, 60-64 and 73-76 stand rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. The Examiner contends that the claims are incomplete in that they fail to completely identify each element forming a loading and delivery apparatus. In particular, the Examiner asserts that the claims fail to positively recite a cartridge as disclosed in an embodiment described in the specification. Applicants respectfully disagree.

Applicants initially note that an identical set of claims had been previously allowed in the present application, and a nearly identical set of claims, which included independent claims